



COUNCIL POLICY

Petition Management

Policy Number:	PO140		
Strategic Plan Objective	Meet all legislative and compliance responsibilities		
Policy Owner:	Chief Executive Officer	Record Number:	16/14832[v3]
Responsible Officer:	Governance Officer	Minute Reference:	139/2018 (13/06/2018)
Date Adopted:	13/06/2018	Next Review Date:	June 2023

1. POLICY OBJECTIVES

This policy aims to clearly communicate the requirements in relation to the information to be included with a petition submitted from a member of the public. To outline the legislative requirements that attach to petitions and to ensure petitions submitted to Council are considered and managed in a consistent manner. Petitions need to comply with the Council's legislative obligations and support the best interests of the community.

2. SCOPE

This policy applies to:

- all petitions submitted to Council;
- all employees of the Yorke Peninsula Council;
- all Elected Members.

3. DEFINITIONS

Employee(s)	All personnel undertaking tasks/duties for and/or on behalf of the Yorke Peninsula Council, including persons employed directly by the Council in a full time, part-time or casual basis under an employment contract, volunteers, contractors, agency personnel and work experience placements.
Petition	A formal written request, typically signed by a number of people and addressed to a person in authority or power, soliciting a favour, right or benefit or that otherwise appeal to the person in respect of a particular cause.
Invalid Petition	Petitions that: <ul style="list-style-type: none"> • contain abusive language. • contain remarks that could be deemed defamatory. • are not clear with their message. • are not legible. • seek to encourage an unlawful activity.
Contact Person	Person who is submitting the petition on behalf of others, a person nominated as the contact person or the first name listed on the petition.

Signatory	A person who has signed the petition in support of the cause.
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4. POLICY STATEMENT

4.1. Submitting a Petition

Petitions submitted to Council must be in relation to a matter that Council or the relevant Council Committee has control over or is in a position to make submissions to other levels of government.

Petitions to Council must be under cover of Council's Standard Form SF188 (available from Council's offices during ordinary business hours and via Council's website www.yorke.sa.gov.au).

In addition, legal requirements must be met as set out in Regulation 10 of the Local Government (Procedures at Meetings) Regulations 2013 which states:

- (1) A petition to the Council must –
 - a. be legibly written or typed or printed; and
 - b. clearly set out the request or submission of the petitioners; and
 - c. include the name and address of each person who signed or endorsed the petition; and
 - d. be addressed to the council and delivered to the principal office of the council.

Where a hardcopy petition is submitted to Council, the original petition must be submitted.

If any of the above criteria is not met, the petition will be deemed invalid and will not be accepted.

4.2. Electronic Petitions

A compliant petition may be in an electronic format that is delivered to the principal office of Council via email with 'PETITION' typed in the subject line and addressed to admin@yorke.sa.gov.au.

Council does not accept online petitions or petitions presented via social media at this time.

4.3. Invalid Petitions

Petitions that do not meet all of the required criteria or contain certain material will be deemed invalid and will not be accepted. Petitions will not be accepted if they:

- Contain abusive language
- Contain remarks that could be considered defamatory towards a person or entity
- Are not clear with their intent
- Are not legible
- Seek to encourage an unlawful activity
- Are related to a Development Application and the petition has not met the requirements of the Development Regulations 2008

Invalid petitions will not be accepted and an explanation will be provided to the contact person as to the reasons why the petition is invalid.

4.4. Considering the Petition

Council employees will deal directly with the person submitting the petition, a person nominated as the contact person or the first name listed on the petition. The contact person should provide as many contact details as possible to ensure that they can easily be contacted regarding the petition. Council will not respond to all petitioners as this is the responsibility of the person submitting the petition.

Valid petitions received by Council will be registered to the Chief Executive Officer (CEO) and presented by the CEO to the next Council meeting for Council to receive and note.

It is the responsibility of the contact person to ensure that all signatories to a petition are aware of the public nature of petitions submitted to Council.

The contact person will be kept informed on the progress of their petition, including any decisions that are made by Council.

4.5. Requests to leave external petitions

Petitions for other Local Governments (including petitions to any representatives of other Governments) and other external bodies may be accepted for signing only with the CEO's permission.

5. COMPLAINTS

Complaints relating to this policy can be made in writing to Council's Governance Officer.

6. REVIEW

This policy will be reviewed every 5 years and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

7. TRAINING

Training needs will be identified through the performance review and audit processes.

Training will also occur as necessary in response to changes to legislation and relevant standards, codes and guidelines.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

PO063 Records Management Policy
SF188 Petition Pro Forma

9. REFERENCES AND LEGISLATION

Local Government Act 1999
Local Government (Procedures at Meetings) Regulations 2013
Electronic Transactions Act 2000

10. COUNCIL DELEGATION

Delegate:	CEO
Sub Delegate:	Nil

11. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Petition Management Policy	PO140	11/05/2011	12/06/2013
Petition Management Policy	PO140	12/06/2013	13/06/2018
Petition Management Policy	PO140	13/06/2018	